

Posted – November 27, 2013

REGULAR MEETING DECEMBER 2, 2013

TOWN COUNCIL OF THE TOWN OF MIDDLETOWN, RHODE ISLAND

The following items of business, having been filed with the Town Clerk under the Rules of the Council, will come before the Council at a regular meeting to be held on Monday, December 2, 2013 at 7:00 P.M. (6:00 PM – EXECUTIVE SESSION; 6:15 PM- PRESENTATION RIDOT) the Middletown Town Hall, 350 East Main Road, Middletown, Rhode Island. All items on this agenda, with the exception of the Public Forum Session, may be considered, discussed and voted upon.

Any person not a member of the Council, desiring to address the Council concerning a matter on the docket of the Council, not the subject of a Public Hearing, shall submit a written request to the Town Clerk stating the matter upon which he desires to speak. Persons are permitted to address the Council for a period not to exceed five (5) minutes.

PLEDGE OF ALLEGIANCE TO THE FLAG

RECONSIDERATION

The Middletown Town Council follows the codification of present-day

general parliamentary law as articulated in Robert's Rules of Order Newly Revised 10th edition (2000), together with whatever rules of order the Council has adopted for its own governance. The motion to reconsider is one of the motions that can bring a question again before an assembly, and is designed to bring back for further consideration a motion which has already been voted on:

If, in the same session that a motion has been voted on, but no later than the same day or the next day on which a business meeting is held, new information or a changed situation makes it appear that a different result might reflect the true will of the assembly, a member who voted with the prevailing side can, by moving to Reconsider [RONR (10th ed.), p. 304-321] the vote, propose that the question shall come before the assembly again as if it had not previously been considered. (From Robert's Rules of Order Newly Revised In Brief, Robert, Evans et al., De Capo Press, 2004)

EXECUTIVE SESSION- 6:00 PM

1. Executive Session - Pursuant to provisions of RIGL, Sections 42-46-2, 42-46-4 and 42-46-5 (a) (2) Potential Litigation, (5) land acquisition and (5) land acquisition.

PRESENTATION – 6:15 PM

2. Memorandum of Town Engineer, thru Town Administrator, with enclosures, re: Aquidneck Avenue (RT 138A) and Green End Avenue, RIDOT Safety Improvements Project.

PUBLIC FORUM SESSION

3. Pursuant to Rule 23 of the Rules of the Council, Citizens may address the town on one (1) subject only, said subject of substantive Town business, neither discussed during the regular meeting nor related to personnel or job performance. Citizens may speak for no longer than five (5) minutes and must submit a public participation form to the Council Clerk prior to the start of the meeting. All items discussed during this session will not be voted upon.

CONSENT

4. Approval of Minutes, re: Regular Meeting, November 18, 2013.

5. Communication of Tax Assessor, thru Town Administrator, with

enclosure, re: Cancellation of taxes for certain Middletown taxpayers.

6. Resolution of the Council, re: Cancellation of taxes for certain Middletown taxpayers.

7. Resolution of City of Newport, re: Agreeing to appoint two City Council members to the Unified High School Exploratory Committee.

8. Resolution of the Town of Richmond, re: Expressing support for the concept of bringing the Retired Aircraft Carrier USS John F. Kennedy to Newport County.

9. Communication of Cheryl A. Fernstrom, CMC, Town Clerk, Town of Jamestown, with enclosure, re: Requesting the Town Council to support the efforts to improve bridge safety on the Newport Pell Bridge.

10. Communication of Leland Mello, IM/Project Manager, with enclosure, re: Annual Monitoring Report for CRMC File No. 2008-09-118 – Carex kobomugi Management Project, Second Beach, Middletown, Rhode Island.

11. Communication of Clara Maurer, re: Appreciation for support to attend the All-National Honors Mixed Voice Chorus.

ORDINANCES

12. An Ordinance of the Town of Middletown (Second Reading)

An Ordinance in Amendment to the Town Code of the Town of Middletown, Title III Administration, Chapter 34, Taxes, Section 34.02, Exemption on Residential Property.

13. An Ordinance of the Town of Middletown (Second Reading)

An Ordinance in Amendment to the Town Code of the Town of Middletown, Title III Administration, Chapter 100, Special Events, Section 100.02, Definition and Examples.

OTHER COMMUNICATION

14. Memorandum of Town Administrator, Town Clerk and President, Middletown Municipal Employees Association – NEARI, re: Holiday Donation – Request for Funds.

TOWN ADMINISTRATOR COMMUNICATIONS

15. Memorandum of Finance Director, thru Town Administrator, with enclosures, re: Contract Award: MIDD-014-004 Addition and

Alterations – Middletown Fire Station & Public Works Department.

16. Resolution of the Council, re: Award of Contract - MIDD-014-004 Addition and Alterations – Middletown Fire Station & Public Works Department.

17. Memorandum of Finance Director, thru Town Administrator, with enclosures, re: Contract Award: MIDD-014-006 Services – Project Representative – Addition and Alterations – Middletown Fire Station & Public Works Department.

18. Resolution of Council, re: Award of Contract - MIDD-014-006 Services – Project Representative – Addition and Alterations – Middletown Fire Station & Public Works Department.

19. Memorandum of Finance Director, thru Town Administrator, with enclosure, re: Contract Award: MIDD-014-001 Engineering Services –West Side Sewage Pump Station Consolidation Project.

20. Resolution of the Council, re: Award of Contract - MIDD-014-001 Engineering Services – West Side Sewage Pump Station Consolidation Project.

21. Memorandum of Finance Director, thru Town Administrator, with enclosures, re: Adoption Agreements – Town of Middletown 401(a) Plan and Town of Middletown 457 (b) Plan.

22. Resolution of the Council, re: Approval and Execution of Adoption Agreements – Town of Middletown 401(a) Plan and Town of Middletown 457(b) Plan.

APPOINTMENTS TO BOARDS & COMMITTEES

23. Memorandum of Town Clerk, thru Town Administrator, re: Recreation Facilities Master Plan Advisory Group.

24. Memorandum of Town Planner, thru Town Administrator, re: Planning Board committee appointments.

25. Memorandum of Superintendent Kraeger, re: Appointments to the Committee for the Arts.

26. Communication of Diana Campagna Skaggs, re: Resignation from the Middletown Committee for the Arts.

Wendy J.W. Marshall, CMC

Town Clerk

This meeting location is accessible to the handicapped. Individuals requiring interpreter services for the hearing impaired should notify the Town Clerk's Office not less than 48 hours before this meeting.